

REMARKS/ARGUMENTS

Applicants respectfully request further examination and reconsideration in view of the arguments set forth fully below. Claims 1-31 were previously pending in this application. Claims 1-31 have been rejected. Accordingly, Claims 1-31 are pending in this application.

Within the Office Action, Claims 1-31 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,567,600 to Yoshida (hereinafter "Yoshida"). The applicants respectfully disagree with this rejection.

Prior Art (Independent Claims 1, 6, 14, and 21)

Yoshida teaches an optical amplifying medium component and an optical fiber amplifier comprising the optical amplifying medium component. [Yoshida, col. 1, lines 8-11] Yoshida's optical amplifying medium component comprises a first substrate on which an optical amplifying medium is placed and a second substrate opposite to the first substrate to sandwich the optical amplifying medium between the two substrates. [Yoshida, col. 1, lines 42-44] The pair of substrates are provided as thin plates capable of heating and cooling the optical amplifying medium. The plates are generally Peltier effect devices and the optical amplifying medium is generally an optical fiber. [Yoshida, col. 3, lines 51-55] In addition, Yoshida teaches an erbium-doped fiber (hereinafter "EDF") sheet. The EDF sheet comprises an EDF and two temperature sensitive semiconductor devices, also termed sheet films. The sheet films possess negative temperature coefficients. [Yoshida, col. 4, lines 2-5] The EDF is sandwiched between the two sheet films to make a laminated sheet assembly. [Yoshida, col. 4, lines 13-15] The EDF sheet is designed to keep the optical fiber from twisting, bending, or crossing. [Yoshida, col. 4, lines 12-17]

Yoshida teaches that "the optical medium component comprises: a pair of substrates, 2a and 2b, provided as thin *plates*." [Yoshida, col. 3 lines 51-53] Yoshida teaches that "the EDF and the thermister are arranged on one of sheet films and then

covered with another one to make a laminated sheet assembly for keeping the EDF from twisting, **bending**, and crossing." [Yoshida, col. 4, lines 12-16] Yoshida teaches that "**any material** well known in the art may be used instead of the Teflon-based film." [Yoshida, col. 5 lines 7-8 *and* lines 47-48]

The applicant respectfully submits that Yoshida intrinsically teaches the meaning of the relevant terms and that extrinsic evidence, such as the American Heritage Dictionary, is unnecessary. The applicant submits that it is commonly understood that **plates are generally not flexible**. Further, the applicant submits that the purpose of the EDF sheet in Yoshida is to **prevent bending**. In addition, the applicant submits that rigid, inflexible, materials are used in the art, and that Yoshida on multiple occasions affirms that **any material may be used** instead of Teflon-based film. Accordingly, Yoshida does not teach an even partially flexible substrate.

Prior Art Distinguished (Independent Claims 1, 6, 14, and 21)

To render a claim unpatentable, an invention must be obvious at the time the invention was made to a person having ordinary skill in the art. In contrast to Yoshida, independent Claim 1 includes the language "a partially flexible substrate." Since Yoshida does not teach "a partially flexible substrate," Yoshida does not render Claim 1 unpatentable. For at least these reasons, the independent Claim 1 is allowable over the teachings of Yoshida.

In contrast to Yoshida, independent Claim 6 includes the language "a partially flexible substrate." Since Yoshida does not teach "a partially flexible substrate," Yoshida does not render Claim 6 unpatentable. For at least these reasons, the independent Claim 6 is allowable over the teachings of Yoshida.

In contrast to Yoshida, independent Claim 14 includes the language "a flexible heater circuit." Since Yoshida does not teach "a flexible heater circuit," Yoshida does not render Claim 14 unpatentable. For at least these reasons, the independent Claim 14 is allowable over the teachings of Yoshida.

In contrast to Yoshida, independent Claim 21 includes the language "providing a

partially flexible substrate." Since Yoshida does not teach "providing a partially flexible substrate," Yoshida does not render Claim 21 unpatentable. For at least these reasons, the independent Claim 21 is allowable over the teachings of Yoshida.

Prior Art (Dependent Claims 2-5, 7-13, 15-20, and 22-31)

Yoshida's prior art teaches an optical fiber wound on a reel. The optical fiber is wound such that only a portion of the optical fiber is touching the surface of the reel. [Yoshida, col. 3, lines 23-26] Yoshida specifically teaches away from using the reel because the EDF "cannot be monitored and controlled under the same conditions because the temperatures of all portions of the EDF 3 may be different from each other." [Yoshida, col. 3 lines 28-30] The Examiner at page 4-5 of the office action asserts that it would be obvious to add additional fibers to the reel. However, this would presumably make control even more difficult, which is in direct conflict with the teachings of Yoshida. Moreover, the reel is mounted to the surface of the substrate, not the optical fiber. [Yoshida, col. 3, lines 19-21] Thus, Yoshida's prior art does not teach having more than one optical fiber on a substrate. Moreover, Yoshida's prior art does not teach an optical fiber secured to more than one surface of a substrate.

Prior Art Distinguished (Dependent Claims 2-5, 7-13, 15-20, and 22-31)

Claims 2-5 are either directly or indirectly dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Yoshida. Accordingly, Claims 2-5 are at least allowable as being dependent on an allowable claim.

Claims 7-13 are either directly or indirectly dependent on the independent Claim 6. As described above, the independent Claim 6 is allowable over the teachings of Yoshida. Accordingly, Claims 7-13 are at least allowable as being dependent on an allowable claim, and in the alternative for the following reasons.

Claim 7 includes the language "a second pre-fabricated optical fiber secured to said first surface." Since the prior art in Yoshida does not teach "a second pre-

fabricated optical fiber secured to said first surface," the prior art in Yoshida does not render Claim 7 unpatentable. For at least these reasons, Claim 7 is allowable over the teachings of Yoshida.

Claim 8 includes the language "a third pre-fabricated optical fiber secured to said second surface." Since the prior art in Yoshida does not teach "a third pre-fabricated optical fiber secured to said second surface," the prior art in Yoshida does not render Claim 8 unpatentable. For at least these reasons, Claim 8 is allowable over the teachings of Yoshida.

Claims 9 includes the language "a second pre-fabricated optical fiber secured to said second surface." Since the prior art in Yoshida does not teach "a second pre-fabricated optical fiber secured to said second surface," the prior art in Yoshida does not render Claim 9 unpatentable. For at least these reasons, Claim 9 is allowable over the teachings of Yoshida.

Claims 11 includes the language "a second pre-fabricated optical fiber secured to said first surface." Since the prior art in Yoshida does not teach "a second pre-fabricated optical fiber secured to said first surface," the prior art in Yoshida does not render Claim 11 unpatentable. For at least these reasons, Claim 11 is allowable over the teachings of Yoshida.

Claims 12 includes the language "a third pre-fabricated optical fiber secured to said second surface." Since the prior art in Yoshida does not teach "a third pre-fabricated optical fiber secured to said second surface," the prior art in Yoshida does not render Claim 12 unpatentable. For at least these reasons, Claim 12 is allowable over the teachings of Yoshida.

Claims 13 includes the language "a second pre-fabricated optical fiber secured to said second surface." Since the prior art in Yoshida does not teach "a second pre-fabricated optical fiber secured to said second surface," the prior art in Yoshida does not render Claim 13 unpatentable. For at least these reasons, Claim 13 is allowable over the teachings of Yoshida.

Claims 15-20 are either directly or indirectly dependent on the independent

Claim 14. As described above, the independent Claim 14 is allowable over the teachings of Yoshida. Accordingly, Claims 15-20 are at least allowable as being dependent on an allowable claim, and in the alternative for the following reasons.


Claim 15 contains the language "a second length of pre-fabricated optical fiber secured to said first surface." Since the prior art in Yoshida does not teach "a second length of pre-fabricated optical fiber secured to said first surface," the prior art in Yoshida does not render Claim 15 unpatentable. For at least these reasons, Claim 15 is allowable over the teachings of Yoshida.

Claim 16 contains the language "a second length of pre-fabricated optical fiber secured to said second surface." Since the prior art in Yoshida does not teach "a second length pre-fabricated optical fiber secured to said second surface," the prior art in Yoshida does not render Claim 16 unpatentable. For at least these reasons, Claim 16 is allowable over the teachings of Yoshida.

Claims 22-31 are either directly or indirectly dependent on the independent Claim 21. As described above, the independent Claim 21 is allowable over the teachings of Yoshida. Accordingly, Claims 22-31 are at least allowable as being dependent on an allowable claim.

For the reasons given above, the applicants respectfully submit that Claims 1-31 are in a condition for allowance. The applicant respectfully requests that all rejections be withdrawn and the application be allowed at the earliest date possible. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (650) 838-4305 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
Perkins Coie LLP



William F. Ahman
Reg. No. 52,548

Date: September 22, 2005

Correspondence Address:

Customer No. 22918
Perkins Coie LLP
P.O. Box 2168
Menlo Park, California 94026
(650) 838-4300